



City of Biggs

Agenda Item Staff Report for the Regular City Council Meeting: February 28, 2011 6:00PM

DATE: February 18, 2011
TO: Honorable Mayor and Members of the City Council
FROM: Pete Carr, City Administrator
SUBJECT: Introduction of Draft Policy for Use of Social Media
(Discussion)

City administrator and city attorney will introduce the concept of a policy for acceptable use of social media, such as Facebook, Twitter, etc. This is a risk management topic, with city exposure whether or not the city establishes its own social media site.

Council may or may not wish to pursue establishment of this policy. Staff seeks direction.

Attachment: City Attorney Outline for Social Media Guideline Discussion

MEMORANDUM

TO: Pete Carr

FROM: Greg Einhorn

SUBJECT: Outline for Social Media Guideline Discussion

DATE: February 15, 2011

As the use of social media (e.g., Twitter, Facebook, Digg) continue to grow, public entities are faced with concerns and potential benefits. In general, the areas for discussion and consideration are two-fold:

- (1) The City's development and use of social media for outreach and information exchange: a city site. There are items to consider if the council has interest in developing such a site.
- (2) Employee use of social networking sites at work or outside of work with work-related content.

The following is a brief outline of the some of the key issues:

(1) First Amendment issues relating to government restrictions on speech

If the city allows the public to post, does that create a public forum, whereby such posts may not be deleted?

This requires some thought be given to "rules of engagement," both for the city and for the public; for examples: perception, adding value, temperament, tone, leadership.

Consider forms of moderation.

Making clear the purpose of the site and what types of content are not permitted: irrelevant; campaign-oriented; profane; discriminatory; sexual content; solicitation of commerce; threats of legal ownership interest.

(2) Use of public resources, including both personal and political use

A city-site/forum is a public resource and therefore cannot be used for personal or campaign purposes.

(3) Open meeting law issues

Avoid the appearance of council discussion outside of public meeting. The city site should not appear as a “meeting;” instead, if developed as outreach, consider directing citizens to engagement directly; i.e., at meetings. The site should not be viewed as a substitute for meetings themselves.

(4) Public records retention and disclosure issues

Any content maintained in a social media format that is related to City business, including a list of subscribers and posted communication, is a public record.

(5) Restrictions on employee use of social media, both on behalf of the agency and personally

Two concerns here: (1) employee use of employee sites during work hours: occasional personal phone call analogy; (2) employee use of non-work site with some sharing of work-related content.

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